

IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
before the  
Board of Patent Appeals and Interferences

Appln. Ser. No.:	Filed:	Inventor(s):	Atty Dkt:
09/543,951	6 April 2000	W. Dalton et al.	110TC-015A (1633-015A)
Title: Improved Brush Seal Designs for Turbines and Similar Rotary Apparatus			
Examiner: M. Rogers		Art Unit: 3677	

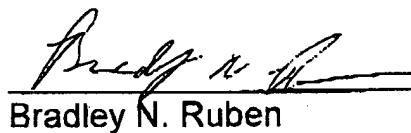
**DECLARATION OF BRADLEY N. RUBEN**

I hereby declare as follows:

1. I am the sole attorney of record in this application.
2. At the time of filing the Reply Brief for this application I was preparing to travel to Hong Kong to participate in the TDC Gift Show at the Hong Kong Trade and Exhibition Centre in mid-October in connection with a small company in which I am part owner. That company has an allowed U.S. patent application based on U.S. Pat. Pub. 20030081418 ("Do-it-yourself lampshade kit"), a flat-pack lamp and shade presently offered for sale via the Internet (at [www.odinko.com](http://www.odinko.com)). Accordingly, I was trying to attend to all cases prior to leaving.
3. I was at that time (and still am) a solo practitioner. At the time of filing the Request for Oral Hearing as part of the Reply Brief, my assistant (I had only one assistant) was eight months pregnant and so I had to

assume additional responsibility for some of her work.<sup>1</sup> I had (and still have) a client with a significant number of foreign applications and patents on which renewal reminders and fees are due, as well as attending to the general administrative work for an office (accounts payable and receivable and the like).

4. This application is the first application on appeal in which I have requested an oral hearing. Although I cannot recall at present, I cannot exclude the possibility that I did not read 37 C.F.R. §1.194 as carefully as would have been appropriate under the circumstances.
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



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Bradley N. Ruben

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18 Aug 2004

Dated

<sup>1</sup> I returned from China on November 10th (after a four day sight-seeing vacation in Gui Lin, China), and my assistant gave birth on November 11th. She and her husband have since moved to New Hampshire.

I am presently leaving for Thailand on August 19<sup>th</sup>, returning August 31<sup>st</sup>, and will be stopping off briefly in China to collect luggage that I was not able to take back during my previous trip to the trade show.